



16/17

PATENT CASE CV01489K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): **Harry R. Davis et al.** : Group Art Unit: **1617**
Serial No.: **10/057,323** : Examiner: **Mojdeh Bahar**
Filed: **01/25/2002** : Attorney Docket No. : **CV01489K**
For: **Combinations of Peroxisome Proliferator-Activated Receptor (PPAR) Activator(s) and Sterol Absorption Inhibitor(s) And Treatments for Vascular Indications** : X

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to Rule 56, it is requested that the documents listed on the accompanying PTO-1449 Form be considered and made of record in the above-identified patent application. Copy(ies) of these references are attached were filed in related application U.S. Serial No(s) _____ filed _____, respectively.

(b) No fee is believed due because:

- This Information Disclosure Statement is being filed within three (3) months of the filing date of the application.
- This Information Disclosure Statement is being concurrently filed with the above-identified application.
- This Information Disclosure Statement is being concurrently filed with a Request for Continued Examination (RCE).
- This Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits.

(c) This Information Disclosure Statement is being filed before the mailing date of any final action, notice of allowance or an action that otherwise closes prosecution; and

- Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

(d) This Information Disclosure Statement is being filed on or before the payment of the issue fee; and

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and

The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0395, Patent Case No. CV01489K. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
SCHERING-PLOUGH CORPORATION

Dated: 04/16/2004
SCHERING-PLOUGH CORPORATION
Patent Department, K-6-1, 1990
2000 Galloping Hill Road
Kenilworth, NJ 07033-0530
Facsimile No.: (908) 298-5388

By:


Name: Ann M. Cannon
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Attorney of Record
Telephone No.: (908) 298-5024

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450 ON APRIL 16, 2004
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ANN MARIE CANNON, REG. NO. 35,972
(REGISTERED REPRESENTATIVE)


(SIGNATURE AND DATE)



Attorney Docket No.: CV01489K

PTO/SB/92 (08-03)

(Modified)

Application No.: 10/057,323

Filing Date: 01/25/2002

Applicant: Harry R. Davis et al.

Title: Combinations of Peroxisome Proliferator-Activated Receptor (PPAR) Activator(s) and Sterol Absorption Inhibitor(s)....

Certificate of Mailing under 37 CFR 1.8

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Documents enclosed:

Certificate of Transmission PTO/SB/97- 1 Page

Information Disclosure Statement - 2 Pages

PTO-1449 Form - 1 Page in duplicate

Reference (1)

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This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet 1 of 1

O-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.:
CV01489K

APPLICATION NO.:
10/057,323

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(Use several sheets if necessary)

APPLICANT:
HARRY R. DAVIS, et al.

FILING DATE:
01/25/2002

GROUP:
1617

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE IF APPROPRIATE |
|-------------------|-----------------|------|------|-------|-----------|----------------------------|
| AA | | | | | | |
| AB | | | | | | |
| AC | | | | | | |
| AD | | | | | | |
| AE | | | | | | |
| AF | | | | | | |
| AG | | | | | | |
| AH | | | | | | |
| AI | | | | | | |
| AJ | | | | | | |
| AK | | | | | | |

FOREIGN PATENT DOCUMENTS

| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|----|-----------------|------|---------|-------|-----------|-------------|
| AL | | | | | | |
| AM | | | | | | |
| AN | | | | | | |
| AO | | | | | | |
| AP | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|----|---|
| AQ | T. Kosoglou et al., "CoAdministration of Simvastatin and Ezetimibe Leads to Significant Reduction in LDL-Cholesterol", Proceedings of 3 rd International Congress on Coronary, Artery Disease from Prevention to Intervention, Lyon, France p. 271 (2000), XP008027568 |
| AR | |
| AS | |
| AT | |
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| AV | |

| EXAMINER | DATE CONSIDERED |
|----------|-----------------|
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.